

Exhibit P

RESCAP

Sent/Received

JUL 22 2013

MORRISON

FOERSTER

To: K
By: Claim Information

Claim Number	441
Basis of Claim Explanation that states the legal and factual reasons why you believe you are owed money or are entitled to other relief from one of the Debtors as of May 14, 2012 (the date the Debtors filed their bankruptcy cases) and, you must provide copies of any and all documentation that you believe supports the basis for your claim.	SEE ATTACHED

If your claim relates to a mortgage loan that you believe was originated or serviced by one of the Debtors, please be sure to include the following loan information, so that we can effectively search our records for information on your property and loan, and evaluate your claim.

Loan Number: [REDACTED]		
Address of property related to the above loan number: 14738 WOLF ROAD		
City: GRASS VALLEY	State: CALIFORNIA	ZIP Code: 95949

Additional resources may be found at - <http://www.kcclic.net/rescap>

Residential Capital, LLC P.O. Box 385220 Bloomington, MN 55438

Claim Number: 441
SHELLEY VON BRINCKEN
Type: POC

Priority Mail 9505 5109 4961 3199 5045 24

CERTIFICATE OF SERVICE
ACKNOWLEDGEMENT OF RECEIPT BY MAIL

I, Luke Pedersen am over the age of 18 and not a party to the within action and live in Sacramento County, California. On, July 18, 2013 A.D. I did send by Priority mail.

And did mail the document(s) described as;

Original Copy of the RES CAP, BASIS OF CLAIM INFORMATION FORM with attached BASIS OF THE CREDITOR CLAIM NUMBER 44. Also and copy of the RESCAP letter and forms dated JUNE 31, 2013.

And by placing a true copy thereof enclosed in a sealed envelope, fully prepaid, addressed as follows:

Residential Capital, LLC
P.O. Box 385220
Bloomington, Minnesota 55438

And by placing in the mail at the location of United States Post Office, Grass Valley, California 95945.

Additionally I have first hand knowledge that the alike documents where emailed to: Claims.Management@rescap.com this same day.

I attest and affirm that I did mail the above on the date of July 18, 2013.



Luke Pedersen

Shelley von Brincken
PO Box 2362
Grass Valley, California 95945

In RE: RESIDENTIAL
CAPITAL, LLC, GMAC
MORTGAGE, LLC, and other
Affiliated debtors

Case No. 12-12020 MG

**Clarification for the Basis of The Creditor Claim for
Shelley von Brincken Claim # 441**

1. The above claim is filed based upon a fraudulent and unlawful non-judicial foreclosure that was commenced on the property at 14738 Wolf Road, Grass Valley, California by GMAC MORTGAGE, LLC on September 3, 2010.
2. The Substitution of Trustee was signed by an alleged MERS employee, at a time when MERS, Inc. was not registered with the Secretary of State and was, consequently, not authorized to do business in California by the California Secretary of State, see **Exhibit A**. Consequently, MERS, Inc.'s act of signing and recording the Substitution of Trustee is an act that violates California Corporation Code, Sections 2258 and 2259, and makes the act of signing and recording the Substitution of Trustee document ultra vires and void,

see *Carter v. DEUTSCHE BANK, NATIONAL TRUST COMPANY, AS TRUSTEE, C09-3033 BZ (USDC, N. DIST. OF CALIF.)*. As a result MERS, Inc. acted without authority in signing and recording the Substitution of Trustee, and said document is void. MERS, Inc. did not issue a resolution from the Board of Directors making the signer of the Substitution of Trustee, Donna Fitton, a signer authorized to act on behalf of MERS, Inc. Normally a resolution of the Board of Directors must be issued authorizing the appointed person to act in an official capacity as a MERS, Inc. executive, otherwise third parties and courts cannot know if the documents they sign are a valid exercise of corporate authority. The signer of the Substitution of Trustee, Donna Fitton, signed her name in Los Angeles County, in Southern California, which is the headquarters office of ETS Services, LLC, but MERS, Inc. has their headquarters office in Reston, Virginia, so it appears that the signature is by an ETS Services, LLC employee and not a MERS, Inc. executive. Additionally, the original lender, MORTGAGECLOSE.COM has never been a member of MERS, INC. MERS membership is the contractual agreement that authorizes MERS, Inc. to act on behalf of the original lender, in this case MORTGAGECLOSE.COM, INC. as a nominee or beneficiary. MERS, Inc cannot act as a nominee or beneficiary of a lender that is not a member of MERS, and thus MERS is not a beneficiary nor are they a nominee for this particular Deed of Trust.

3. Without the MERS, Inc. membership agreement, MERS, Inc. has no standing and capacity to sign pre-foreclosure documents for MORTGAGECLOSE.COM, INC. MERS, Inc. does not have any standing whatsoever to sign their name as a nominee when the original lender did not authorize their status as a nominee by way of a standard

membership agreement, which is signed by all of their members. MERS, Inc. cannot act as a nominee for MORTGAGECLOSE.COM, INC without a formal written agency agreement.

4. Based upon the above analysis of the MERS, Inc. use of a Substitution of Trustee, without the proper agency status as a signer of the Substitution of Trustee, the subsequent documents signed by the allegedly substituted trustee, the Notice of Default, the Notice of Trustees Sale, and the Trustees Deed Upon Sale, see **Exhibit B**, were all void and defective documents and have no force and effect in law, having been signed by a party who does not have standing to sign as a trustee for reasons already discussed. The act of signing and recording the Substitution of Trustee, a Notice of Default, and a Trustees Deed Upon Sale without standing is a violation of my procedural and substantive due process rights as guaranteed under the due process clauses of the Fifth and Fourteenth Amendments to the US Constitution, because the signer had no standing to act as an agent of the original lender.

5. In addition, GMAC MORTGAGE, LLC presented an indorsement of the note that was typed and signed on a separate piece of paper called an allonge, see **Exhibit C**. Under California law, an allonge must be signed directly on the note, unless there are so many indorsements on the note itself that a separate allonge must be filed and attached to the note, see *Pribus v. Bush*, 118 Cal.App.3d 1003; 173 Cal. Rptr. 747(1981). The appellate court in *Pribus*, supra, states: "The trial court ruled that the Williams' signature on the paper attached to the promissory note did not qualify as an indorsement because there

was adequate space for the indorsement on the note itself. We affirm the judgment.” The court in *Pribus v. Bush*, supra, went on to say that the possibility for fraud is greatly reduced when the above rule is applied. Thus, GMAC MORTGAGE, LLC does not have an indorsed note, and does not have the status of a note holder, and cannot assign the mortgage to a third party, see UCC 3-203. A creditor must have an indorsed note in their possession as a condition precedent to enforce the note.

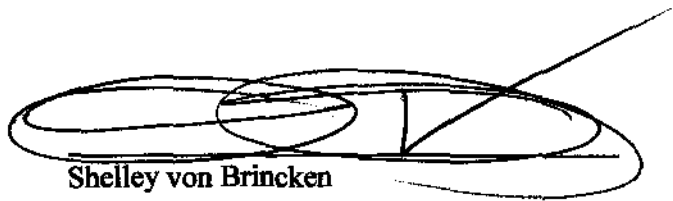
6. There is also no Assignment of Deed of Trust on file at the County Recorder’s Office in Nevada County assigning the Deed of Trust to GMAC MORTGAGE, LLC or FEDERAL NATIONAL MORTGAGE ASSOCIATION as required under California Civil Code Section 2932.5. There is a common law requirement for the alleged creditor to have possession of the security device, otherwise there is no admissible evidence that the alleged creditor is entitled to enforce the note and Deed of Trust. If the indorsement of the note does not meet the requirements under state law for foreclosure, then the creditor does not have standing to foreclose, in violation of my procedural and substantive due process rights, as guaranteed under the Fifth and Fourteenth Amendments to the US Constitution.

7. The foreclosure sale was based upon a series of flawed and defective documents and unlawful acts by GMAC MORTGAGE, LLC and their agents, especially ETS Services, LLC employees, who executed the Substitution of Trustee document as a MERS executive, that they have no right to execute because the original lender, MORTGAGECLOSE.COM, is not a MERS member and for other reasons already stated.

This act of signing and recording the Substitution of Trustee was unlawful, ultra vires and void and makes all of the other pre-foreclosure documents and foreclosure documents void for lack of standing and capacity. My home was foreclosed on in violation of the UCC Section 3-301 and in violation of the other state and Federal laws, and in violation of the due process clauses of the Fifth and Fourteenth Amendments to the US Constitution.

8. I was forced to answer a civil action for Unlawful Detainer filed by a party without standing and filed with the intent to use fraudulent inducement to make me believe that GMAC MORTGAGE, LLC had the right to foreclose with a flawed and defective Substitution of Trustee. Every other document subsequently recorded was signed by an improperly substituted trustee was without force and effect in law having been recorded by ETS Services, LLC, who was not properly appointed as a trustee for all of the reasons given above. I lost my home due to violations of my rights under state and federal law, as discussed. Although GMAC MORTGAGE, LLC is not a state actor, they engaged the services of the County Recorder's Office, through their agent, ETS Services, LLC, thereby violating my civil rights by use of the County Recorder and taking actions that lead to my home being taken away from me in violation of the above-cited law, causing me to lose my home in violation of my procedural and substantive due process rights. As a result, GMAC MORTGAGE, LLC is subject to the federal civil rights statutes by way of their use of the County Recorder, who is a state actor, to commit overt acts of deception and fraud. My home is worth more than the amount of the claim at this point in time.

Dated: 7-18-13

A handwritten signature in black ink, consisting of a large, stylized 'S' followed by 'vB' and a long horizontal stroke. A diagonal line is drawn across the signature from the bottom right towards the top left.

Shelley von Brincken

EXHIBIT A

RECORDING REQUESTED BY:
Recording Requested by
Title Court Service

Old Republic Default Management Services

when Recorded M11 To:

ETS Services, LLC
2255 North Ontario Street, Suite 408
Burbank, California 91504-3120
(818) 298-1800

Nevada County Recorder
Georgy J. Diaz
Document#: 2010009776
Wednesday April 28 2010, at 12:00:00 PM
Rec Fee: \$14.00
Paid: \$14.00
Recorded By: JR
Title Court Services

TS NO: [REDACTED]
LOAN NO: [REDACTED]

SPACE ABOVE THIS LINE FOR RECORDING USE

SUBSTITUTION OF TRUSTEE

WHEREAS, SHELLEY VON BRINCKEN, A MARRIED WOMAN AS HER SOLE AND SEPARATE PROPERTY, was the original Trustor, CALIFORNIA LAND TITLE COMPANY OF NV COUNTY was the original Trustee, and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR MORTGAGECLOSE.COM, INC., A NEVADA CORPORATION was the original Beneficiary under that certain Deed of Trust dated 1/14/2008 and recorded on 1/23/2008 as Instrument No. 2008-0001231-00, in Book , Page of Official Records of Nevada County, California; and

WHEREAS, the undersigned is the present Beneficiary under said Deed of Trust, and

WHEREAS, the undersigned desires to substitute a new Trustee under said Deed of Trust in place and instead of said original Trustee, or Successor Trustee, thereunder, in the manner in said Deed of Trust provided,

NOW, THEREFORE, the undersigned desires to substitute Executive Trustee Services, LLC dba ETS Services, LLC, as Trustee under said Deed of Trust.

Whenever the context hereof so requires, the masculine gender includes the feminine and/or neuter, and the singular number includes the plural.

Dated : 4/27/2010

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.


DONNA FITTOR, ASSISTANT SECRETARY

State of California) ss.
County of Los Angeles)

On 4/27/2010 before me, Dee C. Ortega Notary Public, personally appeared Donna Fittor who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature  (Seal)
Dee C. Ortega

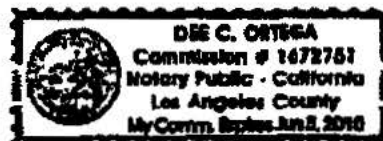


EXHIBIT B

RECORDING REQUESTED BY:
Recording Requested by
Title Court Service

Old Republic Default Management Services
when Recorded me! To:

ETS Services, LLC
2255 North Ontario Street, Suite 400
Burbank, California 91504-3129
(818) 288-1000

Nevada County Recorder
Gregory J. Diaz
Document#: 20100805776
Wednesday April 28 2010, at 12:08:00 PM
Rec Fee: \$14.00
Paid: \$14.00
Recorded By: JR
Title Court Services

TS NO: [REDACTED]

LOAN NO: [REDACTED]

SPACE ABOVE THIS LINE FOR RECORDING USE

SUBSTITUTION OF TRUSTEE

WHEREAS, SHELLEY VON BRINCKEN, A MARRIED WOMAN AS HER SOLE AND SEPARATE PROPERTY, was the original Trustor, CALIFORNIA LAND TITLE COMPANY OF NV COUNTY was the original Trustee, and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR MORTGAGECLOSE.COM, INC., A NEVADA CORPORATION was the original Beneficiary under that certain Deed of Trust dated 1/14/2009 and recorded on 1/23/2009 as Instrument No. 2009-0901231-00, in Book , Page of Official Records of Nevada County, California; and

WHEREAS, the undersigned is the present Beneficiary under said Deed of Trust, and

WHEREAS, the undersigned desires to substitute a new Trustee under said Deed of Trust in place and instead of said original Trustee, or Successor Trustee, thereunder, in the manner in said Deed of Trust provided,

NOW, THEREFORE, the undersigned desires to substitute Executive Trustee Services, LLC dba ETS Services, LLC, as Trustee under said Deed of Trust.

Whenever the context hereof so requires, the masculine gender includes the feminine and/or neuter, and the singular number includes the plural.

Dated : 4/27/2010

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.


DONNA FITTOR, ASSISTANT SECRETARY

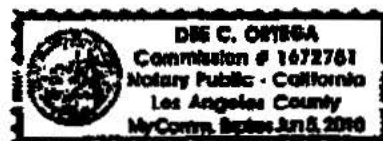
State of California} ss.
County of Los Angeles }

On 4/27/2010 before me, Dee C. Ortega Notary Public, personally appeared Donna Fittor who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature  (Seal)
Dee C. Ortega



RECORDING REQUESTED BY:

Old Republic Default Management Services

WHEN RECORDED MAIL TO:

ETS Services, LLC
2255 North Ontario Street, Suite 400
Burbank, California 91504-3120

This is to certify that the attached is a true
and correct copy of the original recorded
instrument of 2010-9777
located in County of Nevada
Record Service 17.00

TS No. : [REDACTED] Loan No. : [REDACTED]

SPW 1 ABOVE THIS LINE FOR RECORDERS USE

NOTICE OF DEFAULT AND ELECTION TO SELL UNDER DEED OF TRUST

IMPORTANT NOTICE

IF YOUR PROPERTY IS IN FORECLOSURE BECAUSE YOU ARE BEHIND IN YOUR PAYMENTS IT MAY BE SOLD WITHOUT ANY COURT ACTION,

and you may have the legal right to bring your account in good standing by paying all of your past due payments plus permitted costs and expenses within the time permitted by law for reinstatement of your account, which is normally five business days prior to the date set for the sale of your property. No sale date may be set until three months from the date this notice of default may be recorded (which date of recordation appears on this notice).

This amount is \$5,958.63 as of 4/27/2010, and will increase until your account becomes current. While your property is in foreclosure, you still must pay other obligations (such as insurance and taxes) required by your note and deed of trust or mortgage. If you fail to make future payments on the loan, pay taxes on the property, provide insurance on the property or pay other obligations as required in the note and deed of trust or mortgage, the beneficiary or mortgagee may insist that you do so in order to reinstate your account in good standing. In addition, the beneficiary or mortgagee may require as a condition of reinstatement that you provide reliable written evidence that you paid all senior liens, property taxes, and hazard insurance premiums.

Upon your written request, the beneficiary or mortgagee will give you a written itemization of the entire amount you must pay. You may not have to pay the entire unpaid portion of your account, even though full payment was demanded, but you must pay all amounts in default at the time payment is made. However, you and your beneficiary or mortgagee may mutually agree in writing prior to the time the notice of sale is posted (which may not be earlier than the three month period stated above) to, among other things, (1) provide additional time in which to cure the default by transfer of the property or otherwise; or (2) establish a schedule of payments in order to cure your default; or both (1) and (2).

Following the expiration of the time period referred to in the first paragraph of this notice, unless the obligation being foreclosed upon or a separate written agreement between you and your creditor permits a longer period, you have only the legal right to stop the sale of your property by paying the entire amount demanded by your creditor. To find out the amount you must pay, or to arrange for payment to stop the foreclosure, or if your property is in foreclosure for any other reason, contact, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

C/O ETS Services, LLC
2255 North Ontario Street, Suite 400
Burbank, California 91504-3120
(818) 260-1600 phone



RECORDING REQUESTED BY:
Executive Trustee Services, LLC dba ETS Services, LLC

AND WHEN RECORDED MAIL TO:
GMAC MORTGAGE, LLC FKA
GMAC MORTGAGE CORPORATION
1100 VIRGINIA DRIVE
FORT WASHINGTON, PA 19034

Nevada County Recorder
Gregory J. Diaz
Document#: 20100021600
Friday September 10 2010, at 01:35:13 PM
Rec Fee: \$20.00
Paid: \$20.00
Recorded By: KP

Forward Tax Statements to
the address given above

TS # [REDACTED]
LOAN [REDACTED]
TITLE ORDER # [REDACTED]

SPACE ABOVE LINE FOR RECORDER'S USE

INVESTOR #: 000000000000

TRUSTEE'S DEED UPON SALE

APN 55-060-63-000

TRANSFER TAX: \$00.00

"THIS TRANSACTION IS EXEMPT FROM THE REQUIREMENTS OF THE REVENUE AND TAXATION CODE, SECTION 480.3"

The Grantee Herein Was The Foreclosing Beneficiary.

The Amount Of The Unpaid Debt was \$235,204.06

The Amount Paid By The Grantee Was \$186,940.72

Said Property Is In The City Of GRASS VALLEY, County of Nevada

Executive Trustee Services, LLC dba ETS Services, LLC, as Trustee, (whereas so designated in the Deed of Trust hereunder
more particularly described or as duly appointed Trustee) does hereby GRANT and CONVEY to

FEDERAL NATIONAL MORTGAGE ASSOCIATION

(herein called Grantee) but without covenant or warranty, expressed or implied, all right title and interest conveyed to and now held by it as Trustee under the Deed of Trust in and to the property situated in the county of Nevada, State of California, described as follows:

See exhibit "A" attached hereto and made a part hereof

This conveyance is made in compliance with the terms and provisions of the Deed of Trust executed by SHELLEY VON BRINCKEN, A MARRIED WOMAN AS HER SOLE AND SEPARATE PROPERTY as Trustor, dated 1/14/2009 of the Official Records in the office of the Recorder of Nevada, California under the authority and powers vested in the Trustee designated in the Deed of Trust or as the duly appointed Trustee, default having occurred under the Deed of Trust pursuant to the Notice of Default and Election to Sell under the Deed of Trust recorded on 1/23/2009, instrument number 2009-0001231-00 (or Book, Page)

of Official records. Trustee having complied with all applicable statutory requirements of the State of California and performed all duties required by the Deed of Trust including sending a Notice of Default and Election to Sell within ten days after its recording and a Notice of Sale at least twenty days prior to the Sale Date by certified mail, postage pre-paid to each person entitled to notice in compliance with California Civil Code 2924b.

[Page 1 of 2]

20100021600 Page 2

EXHIBIT "A"

GM-242742-C

THE LAND DESCRIBED HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF NEVADA, UNINCORPORATED AREA, AND IS DESCRIBED AS FOLLOWS:

LOT 1, AS SHOWN UPON THE FINAL MAP NO. 00-002, "THE WOLF", AS FILED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF NEVADA ON MAY 6, 2008, IN BOOK 8 OF SUBDIVISION MAPS, AT PAGE 178.

20100021600 Page 3

TRUSTEE'S DEED UPON SALE

Trustee's Deed
T.S.# [REDACTED]
Loan # [REDACTED]
Title Order [REDACTED]

All requirements per California Statutes regarding the mailing, personal delivery and publication of copies of Notice of Default and Election to Sell under Deed of Trust and Notice of Trustee's Sale, and the posting of copies of Notice of Trustee's Sale have been complied with. Trustee, in compliance with said Notice of Trustee's sale and in exercise of its powers under said Deed of Trust sold said real property at public auction on 8/31/2010. Grantee, being the highest bidder at said sale became the purchaser of said property for the amount bid, being \$186,940.72 in lawful money of the United States, in pro per, receipt there of is hereby acknowledged in full/partial satisfaction of the debt secured by said Deed of Trust.

In witness thereof, Executive Trustee Services, LLC dba ETS Services, LLC, as Trustee, has this day, caused its name to be hereunto affixed by its officer thereunto duly authorized by its corporation by-laws

Date: 9/3/2010

Executive Trustee Services, LLC dba ETS Services,

LLC

By: Kathleen Gowen
Kathleen Gowen, Limited Signing Officer

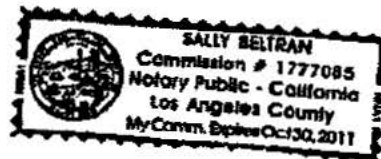
State of California) S.S.
County of Los Angeles)

On 9/3/2010 before me, Sally Beltran Notary Public, personally appeared Kathleen Gowen who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Sally Beltran (Seal)
Sally Beltran



[Page 2 of 2]

EXHIBIT C

Allonge to Note

Loan Number:



Note Date:

January 14, 2009

In Favor of:

MORTGAGECLOSE.COM, INC.

And Executed by

Borrower:

SHELLEY VON BRINCKEN

Property:

14738 WOLF RD

GRASS VALLEY, CA 95949

Loan Amount:

\$220,000.00

Pay to the Order of

GMAC Bank

Without Recourse

MORTGAGECLOSE.COM, INC.

Authorized Signature:

Chau Lam - President of MortgageClose.com, Inc.

RESCAP

MORRISON | FOERSTER

June 21, 2013

Claim Number: 441

Dear Claimant: SHELLEY VON BRINCKEN

You are receiving this letter because you or someone on your behalf filed a Proof of Claim form in the jointly-administered chapter 11 bankruptcy cases of Residential Capital, LLC ("ResCap"), GMAC Mortgage, LLC and other affiliated debtors and debtors in possession (collectively, the "Debtors") pending before the United States Bankruptcy Court for the Southern District of New York, Case No. 12-12020 (MG) (the "ResCap bankruptcy case"), and we need additional information from you regarding the claim(s) ("claim") you are asserting against one or more of the Debtors.

The Information we Need From You Regarding Your Proof of Claim:

We reviewed a copy of the Proof of Claim form and documents, if any, that you filed in the ResCap bankruptcy case. A copy of your Proof of Claim form is enclosed for your reference. After reviewing the Proof of Claim form and any documents you submitted, we have determined that you did not provide sufficient information to support your "Basis for Claim" and we do not have sufficient information to understand the calculations you used to determine the amount you claim to be owed. In order to evaluate your claim, we need to understand the specific reasons as to why you believe you are owed money or are entitled to other relief from one or more of the Debtors. Please reply using the attached form and provide a written explanation, with supporting documentation, and include a detailed explanation of how you calculated the amount of your claim.

You Must Respond to this Letter by no Later Than July 22, 2013:

In accordance with the Order of the Bankruptcy Court (Docket No. 3294, filed March 21, 2013), you must respond to this letter by no later than July 22, 2013 with an explanation stating the legal and factual reasons why you believe you are owed money or are entitled to other relief from one or more of the Debtors as of May 14, 2012 (the date the Debtors filed their bankruptcy cases). You must provide copies of any and all documentation that you believe supports the basis for and amount of your claim. A form is included with this letter to assist you in responding to our request for additional information.

Consequences of Failing to Respond:

If you do not provide the requested information regarding the basis for and amount of your claim and the supporting documentation by July 22, 2013, the Debtors may file a formal objection to your Proof of Claim on one or more bases, including that you failed to provide sufficient information and documentation to support your claim. If the Debtors file such an objection and it is successful, your claim may be disallowed and permanently expunged. If your claim is disallowed and expunged, you will not receive any payment for your claim and any other requests you may have made for non-monetary relief in your Proof of Claim will be denied. Therefore, it is very important that you respond by the date stated above with the requested information and documentation supporting the basis for and amount of your claim.

Residential Capital, LLC P.O. Box 385220 Bloomington, Minnesota 55438

Claim Number: 441
SHELLEY VON BRINCKEN
Type: POC

For Those With a Mortgage Loan Originated or Serviced by One of the Debtors:

If your claim relates to a mortgage loan that you believe was originated or serviced by one of the Debtors, please be sure to include the loan number and property address that the loan relates to in the information and any documentation that you send us, so that we can effectively search our records for information on your property and loan, and evaluate your claim.

Questions:

If you have any questions about this letter, or need help in providing the requested information and document(s), you should contact an attorney. You may also contact the Special Counsel to the Official Committee of Unsecured Creditors¹ with general questions (contact information provided below):

SPECIAL COUNSEL TO THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS

SILVERMANACAMPORA LLP

100 Jericho Quadrangle, Suite 300

Jericho, New York 11753

Telephone: 866-259-5217

Website: <http://silvermanacampora.com>

E-mail address: rescapborrower@silvermanacampora.com

You must send the requested information and document(s) supporting your claim on or before the date provided in this letter to either:

- (i) Claims.Management@gmacreacap.com; or
- (ii) Residential Capital, LLC
P.O. Box 385220
Bloomington, Minnesota 55438

Please mark each document you send with the Claim Number referenced above.

Sincerely,

Claims Management
Residential Capital, LLC

¹ Please be advised that SilvermanAcampora LLP does not represent you individually and, therefore, cannot provide you with legal advice.

Residential Capital, LLC P.O. Box 385220 Bloomington, Minnesota 55438

Claim Number: 441
SHELLEY VON BRINCKEN
Type: POC

Claim #441 Date Filed: 8/27/2012

B 10 (Official Form 10) (12/11)

UNITED STATES BANKRUPTCY COURT Southern District of New York		PROOF OF CLAIM
Name of Debtor: GMAC MORTGAGE, LLC		Case Number: 12-12032-MG
NOTE: Do not use this form to make a claim for an administrative expense that arises after the bankruptcy filing. You may file a request for payment of an administrative expense according to 11 U.S.C. § 503.		AUG 27 2012
Name of Creditor (the person or other entity to whom the debtor owes money or property): SHELLEY VON BRINCKEN		COURT USE ONLY
Name and address where notices should be sent: 14738 WOLF RD GRASS VALLEY, CA. 95949		<input type="checkbox"/> Check this box if this claim amends a previously filed claim. Court Claim Number: _____ (If known) Filed on: _____
Telephone number: (530) 288-8777 email: _____		
Name and address where payment should be sent (if different from above): N/A		<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to this claim. Attach copy of statement giving particulars.
Telephone number: _____ email: _____		
1. Amount of Claim as of Date Case Filed: \$ <u>186,940.72</u> If all or part of the claim is secured, complete item 4. If all or part of the claim is entitled to priority, complete item 5. <input type="checkbox"/> Check this box if the claim includes interest or other charges in addition to the principal amount of the claim. Attach a statement that itemizes interest or charges.		
2. Basis for Claim: DEBT INSTRUMENT "Deed of Trust" (See instruction #2)		
3a. Last four digits of any number by which creditor identifies debtor: 4 8 4 0	3b. Debtor may have scheduled account as: _____ (See instruction #3a)	3c. Uniform Claim Identifier (optional): _____ (See instruction #3b)
4. Secured Claim (See instruction #4) Check the appropriate box if the claim is secured by a lien on property or a right of setoff, attach required related documents, and provide the requested information. Nature of property or right of setoff: <input checked="" type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe: _____ Value of Property: \$ <u>173,500.00</u> Annual Interest Rate: <u>5.914%</u> (Fixed or <input checked="" type="checkbox"/> Variable (when case was filed)) Amount of arrearage and other charges, as of the time case was filed, included in secured claim, if any: \$ <u>186,940.72</u> Basis for perfection: <u>Security instrument</u> Amount of Secured Claim: \$ <u>186,940.72</u> Amount Unsecured: \$ <u>0.00</u>		
5. Amount of Claim Entitled to Priority under 11 U.S.C. § 507 (a). If any part of the claim falls into one of the following categories, check the box specifying the priority and state the amount. <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <input checked="" type="checkbox"/> Domestic support obligations under 11 U.S.C. § 507 (a)(1)(A) or (a)(1)(B). </div> <div style="width: 30%;"> <input type="checkbox"/> Wages, salaries, or commissions (up to \$11,725*) earned within 180 days before the case was filed or the debtor's business ceased, whichever is earlier - 11 U.S.C. § 507 (a)(4). </div> <div style="width: 30%;"> <input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. § 507 (a)(5). </div> </div> <div style="display: flex; justify-content: flex-end; margin-top: -20px;"> Amount entitled to priority: \$ <u>186,940.72</u> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 30%;"> <input type="checkbox"/> Up to \$2,600* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507 (a)(7). </div> <div style="width: 30%;"> <input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. § 507 (a)(8). </div> <div style="width: 30%;"> <input checked="" type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. § 507 (a)(2). </div> </div> <p>*Amounts are subject to adjustment on 4/1/13 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.</p>		
6. Credits. The amount of all payments on this claim has been credited for the purpose of making this proof of claim. (See instruction #6)		

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KURTZMAN CARSON CONSULTANTS

B 10 (Official Form 10) (12/11)

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7. Documents: Attached are redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. If the claim is secured, box 4 has been completed, and redacted copies of documents providing evidence of perfection of a security interest are attached. (See instruction #7, and the definition of "redacted".)

DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.

If the documents are not available, please explain:

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8. Signature: (See instruction #8)

KURTZMAN CARSON

Check the appropriate box.

☒ I am the creditor. ☐ I am the creditor's authorized agent. ☐ I am the trustee, or the debtor, or their authorized agent. ☐ I am a guarantor, surety, indorser, or other codebtor. (Attach copy of power of attorney, if any.) (See Bankruptcy Rule 3004.) (See Bankruptcy Rule 3005.)

I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.

Print Name: SHELLEY VON BRINCKEN

Title: MORTGAGOR

Company: N/A

Address and telephone number (if different from notice address above):

14738 WOLF RD

GRASS VALLEY, CA 95949

Telephone number:

email:

(Signature)

(Date)

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In certain circumstances, such as bankruptcy cases not filed voluntarily by the debtor, exceptions to these general rules may apply.

Items to be completed in Proof of Claim form

Court, Name of Debtor, and Case Number:

Fill in the federal judicial district in which the bankruptcy case was filed (for example, Central District of California), the debtor's full name, and the case number. If the creditor received a notice of the case from the bankruptcy court, all of this information is at the top of the notice.

Creditor's Name and Address:

Fill in the name of the person or entity asserting a claim and the name and address of the person who should receive notices issued during the bankruptcy case. A separate space is provided for the payment address if it differs from the notice address. The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g).

1. Amount of Claim as of Date Case Filed:

State the total amount owed to the creditor on the date of the bankruptcy filing. Follow the instructions concerning whether to complete items 4 and 5. Check the box if interest or other charges are included in the claim.

2. Basis for Claim:

State the type of debt or how it was incurred. Examples include goods sold, money loaned, services performed, personal injury/wrongful death, car loan, mortgage note, and credit card. If the claim is based on delivering health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information. You may be required to provide additional disclosure if an interested party objects to the claim.

3. Last Four Digits of Any Number by Which Creditor Identifies Debtor:

State only the last four digits of the debtor's account or other number used by the creditor to identify the debtor.

3a. Debtor May Have Scheduled Account As:

Report a change in the creditor's name, a transferred claim, or any other information that clarifies a difference between this proof of claim and the claim as scheduled by the debtor.

3b. Uniform Claim Identifier:

If you use a uniform claim identifier, you may report it here. A uniform claim identifier is an optional 24-character identifier that certain large creditors use to facilitate electronic payment in chapter 13 cases.

4. Secured Claim:

Check whether the claim is fully or partially secured. Skip this section if the claim is entirely unsecured. (See Definitions.) If the claim is secured, check the box for the nature and value of property that secures the claim, attach copies of lien documentation, and state, as of the date of the bankruptcy filing, the annual interest rate (and whether it is fixed or variable), and the amount paid due on the claim.

5. Amount of Claim Entitled to Priority Under 11 U.S.C. § 507 (a):

If any portion of the claim falls into any category shown, check the appropriate box(es) and state the amount entitled to priority. (See Definitions.) A claim may be partly priority and partly non-priority. For example, in some of the categories, the law limits the amount entitled to priority.

6. Credits:

An authorized signature on this proof of claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

7. Documents:

Attach redacted copies of any documents that show the debt exists and a lien secures the debt. You must also attach copies of documents that evidence perfection of any security interest. You may also attach a summary in addition to the documents themselves. FRBP 3001(c) and (d). If the claim is based on delivering health care goods or services, limit disclosing confidential health care information. Do not send original documents, as attachments may be destroyed after scanning.

8. Date and Signature:

The individual completing this proof of claim must sign and date it. FRBP 9011. If the claim is filed electronically, FRBP 3003(a)(2) authorizes courts to establish local rules specifying what constitutes a signature. If you sign this form, you declare under penalty of perjury that the information provided is true and correct to the best of your knowledge, information, and reasonable belief. Your signature is also a certification that the claim meets the requirements of FRBP 9013(b). Whether the claim is filed electronically or in person, if your name is on the signature line, you are responsible for the declaration. Print the name and title, if any, of the creditor or other person authorized to file this claim. State the filer's address and telephone number if it differs from the address given on the top of the form for purposes of receiving notices. If the claim is filed by an authorized agent, attach a complete copy of any power of attorney, and provide both the name of the individual filing the claim and the name of the agent. If the authorized agent is a service, identify the corporate service as the company. Criminal penalties apply for making a false statement on a proof of claim.

P.O. Box 27002
Grass Valley, California
95945



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JUL

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